

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARK WAYNE CLARK,

Plaintiff,

v.

DEAN MASON, et al.,

Defendant.

CASE NO. C04-1647C

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter has come before the Court on Plaintiff's second motion for reconsideration (Dkt. No. 120). Plaintiff's motion asks that the Court reconsider for a second time its decision to dismiss Defendants Garret and Austin from Plaintiff's Supplemental Complaint.

Motions for reconsideration may only be granted upon a showing of manifest error in the prior ruling or of new facts or legal authority that could not have been brought to the Court's attention earlier with reasonable diligence. Local Rule CR 7(h)(1). Plaintiff has not made the requisite showing here.

The Court finds that because Plaintiff had an opportunity to respond to Defendants' alternative grounds for dismissal of Defendants Garret and Austin, it worked no injustice for the Court to have

1 considered this argument. Plaintiff's motion fails to raise any issue of manifest error with respect to the
2 Court's finding that his argument that Defendants Garret and Austin will request or consider "poisoned"
3 material at his next parole review is purely speculative.

4 Plaintiff's motion for reconsideration is therefore DENIED.

5 DATED this 4th day of November, 2005.

6 BRUCE RIFKIN, Clerk of Court

7
8 By /s/ C. Ledesma
9 Deputy Clerk